

# **MILITARY ORDER OF THE PURPLE HEART**

**TOM POULTER, NATIONAL COMMANDER**

**March 29, 2007**

**TESTIMONY**

**BEFORE THE JOINT SENATE AND HOUSE COMMITTEES  
ON VETERANS AFFAIRS**

Chairman Akaka, Chairman Filner, members of the committee, ladies and gentlemen.

I am Tom Poulter, National Commander of the Military Order of the Purple Heart (MOPH). It is an honor to appear before this distinguished body on behalf of the members of MOPH. MOPH is unique among veteran service organizations in that our membership is comprised entirely of combat wounded veterans who shed their blood on the battlefields of the world while serving America in uniform. For their sacrifices they were awarded the Purple Heart Medal.

I am accompanied today by Senior Vice Commander Henry Cook, National Adjutant Joe Palagyi, National Service Director Jack Leonard, National Legislative Director Hershel Gober and National Membership Director Bill Bacon. Also present is the National President of the MOPH Ladies Auxiliary. Ms. Nancy Lee Birschbach.

Your committees are extremely important to MOPH and its members. We look to you to represent the veterans of our country and to ensure that all members of Congress understand that America must keep its promises to those men and women who have served, and are now serving in uniform, if we are to maintain a viable military and continue to enjoy the freedoms that we have. Veterans have earned their entitlements and benefits. This is especially true of the members of MOPH because, as I stated earlier, they have all shed their blood on the world's battlefields.

## **ADEQUATE FUNDING FOR THE VA HEALTH ADMINISTRATION**

The Military Order of the Purple Heart (MOPH) is on record as supporting the Independent Budget, which is developed and submitted to Congress by the Veterans of Foreign Wars (VFW), Disabled American Veterans (DAV), Paralyzed Veterans of America (PVA) and American Veterans (AMVETS).

I am the fourth MOPH National Commander in a row to present as our number one priority Adequate /Assured funding for the VA Health Administration. MOPH joins our fellow VSOs in urging Congress to find a long-term solution to the annual funding crisis at the VA. The VA deserves a system that delivers funds on time to allow for long-term planning. With the on-going War on Terror and our service members returning home from war with medical conditions requiring treatment at VA hospitals, the VA needs the capability to meet their needs.

Demand for VA healthcare still outpaces the capacity to deliver care in a timely manner. Within the priority system established by law, Congress should appropriate sufficient funds for all veterans the VA has agreed to treat through the enrollment process. This is not happening today as more and more veterans are triaged for care on waiting lists. A Presidential Task Force (May 2003) strongly recommended full funding for all veterans enrolled in the VA health care system. Thus far, the Administration and Congress have ignored this recommendation.

Each year the VA is to receive funding for the next fiscal year by October 1 so that they may plan for personnel and programs. Over the last several years this has not occurred and the Appropriations Act has not passed until well into the fiscal year. The 2007 Appropriations Act has not passed and the VA is currently operating on a Continuing Resolution. While MOPH appreciates the fact that Congress mandated that the VA received a 3.6 billion dollar increase in the Continuing Resolution, for which we commend Congress, this is a perfect example of why the funding of the VA health system needs to be changed.

MOPH urges Congress to pass legislation which will fully fund the VA health care system through modifications to the current budget and appropriations process, either by using a mandatory funding mechanism, or by some other changes in the process in order to achieve the desired goal of providing care to those veterans who are enrolled in the VA health care system.

On another health care note, MOPH, like the majority of Americans is appalled by the conditions that those heroes returning from the on-going conflicts had to endure at Walter Reed Army Hospital. There is no excuse for this episode. When our country commits its military to a mission then it must be ready to see to the needs of those warriors when they return home. We must never accept less than the best health care and treatment for these men and women. MOPH will not “pile on” this issue as it seems that Congress and the Administration are trying to correct the problems. We will closely monitor the process.

### **RETIRED PAY RESTORATION**

MOPH is pleased that Congress has, in previous sessions, enacted legislation that authorizes some military retirees to concurrently receive both full military retired pay and any VA compensation to which they are entitled. MOPH’s position is that it is time for Congress to do the right thing and correct a horrible wrong so that ALL those eligible for concurrent receipt should receive it. MOPH supports S. 439, H.R. 303, H.R. 89 and our favorite, H.R. 333. HR 333 is the ultimate concurrent receipt legislation in that it would cover those Chapter 61 retirees with less than 20 years of service.

### **SURVIVOR BENEFIT PLAN (SBP) AND DEPENDENCY AND INDEMNITY COMPENSATION (DIC)**

MOPH supports legislation that would end the DIC offset to the SBP. It would correct an inequity that has existed for decades, long before the current conflicts. Each payment serves a different purpose. The DIC is a special indemnity payment that is paid by VA to the survivor when the service member’s service causes his or her death. It is a flat rate payment of \$1067 per month for the surviving spouse and \$265 for each surviving child. The SBP annuity, paid by DOD, reflects the longevity of the service of the military members. It is ordinarily calculated at 55 per-cent of retired pay. Military retirees who elect SPB pay a portion of their retired pay to ensure that their family has a guaranteed income should the retiree die. If that retiree dies due to a service connected disability, their survivor becomes eligible for DIC. In short SBP and DIC are two very different programs. SBP is like an insurance program on which the retiree pays premiums (6.5 percent of his/her base retired pay) and DIC is a VA program that provides a monetary amount to the survivor of a veteran who dies of service-

connected causes. The Law mixes oranges and apples. Congress should correct this onerous Law.

### **MOPH FEDERAL CHARTER AMENDMENT**

MOPH was chartered by the 85<sup>th</sup> Congress in 1958 (Public Law 85-761). At the time of the Charter it was not envisioned that MOPH would have numerous Purple Heart Recipients; therefore no provision was made for accepting male spouses of female Purple Heart recipients. With the current on-going conflicts generating many female Purple Heart recipients, who are becoming members of the MOPH, there is no provision for accepting their male spouses. Legislation has been introduced and passed the Senate, S. 743, which would amend the Federal Charter for MOPH that would permit MOPH to offer associate memberships to the spouses of members of MOPH. There has been legislation introduced in the House, H.R. 1027, 1119, and 841, which have been referred to the House Judiciary Committee; S. 743 has passed the Senate and has been referred to the House. MOPH supports all legislation that would accomplish our goal and urges the House to act quickly to pass this legislation.

### **THE 75<sup>TH</sup> ANNIVERSARY OF THE MILITARY ORDER OF THE PURPLE HEART**

House Concurrent Resolution 49 recognizes that 2007 is the 75<sup>th</sup> anniversary of MOPH. It further recognizes that 2007 is also the 225<sup>th</sup> anniversary of the Badge of Military Merit, the predecessor the Purple Heart Medal, which was established and awarded by General George Washington. MOPH requests that members of the Committees support this legislation.

### **THE PURPLE HEART STAMP**

In 2003 the U. S. Postal Service (USPS) issued the 37 cents Purple Heart stamp. In 2006 the stamp was re-issued as a 39 cents stamp. MOPH believes that this stamp should again be re-issued as a stamp with no monetary denomination on it. This is especially true with the on-going conflicts and unfortunately the numerous members of the military being awarded the Purple Heart Medal for wounds received while engaged in combat with the enemy. As Past National Commander Jim Randles stated at the 2006 re-issuance ceremony, “the

American Flag Stamp is the symbol of our freedom, the Purple Heart Stamp shows the cost of that freedom.” MOPH requests that your committees take the leadership on this issue and do everything you can to persuade the Postmaster General of the U. S. Postal Service to make the Purple Heart Stamp permanent. In recent news articles it has been reported that the USPS plans to begin issuing stamps with no monetary denominations on them. It would appear that re-issuing the Purple Heart Stamp would be an appropriate candidate for this program.

### **MILITARY RETIREES HEALTH CARE PROTECTION ACT**

MOPH supports H.R. 579 and S. 604, which, if enacted, would remove DOD’s authority to increase TRICARE fees and specifies that only Congress has that authority. The legislation further acknowledges that military members paid for their future medical care in their retirement by their service to their country in uniform.

### **MILITARY HEALTH CARE RELIEF ACT OF 2007**

MOPH supports H.R. 343 which would restore “the promise” of free life-time health care for all military retirees by allowing a tax credit of Medicare Part B premiums paid by the military retiree.

### **PRETAX PAYMENT OF HEALTH INSURANCE PREMIUMS BY FEDERAL CIVILIAN AND MILITARY RETIREES**

MOPH supports H.R. 1110, which, if enacted, would amend the Internal Revenue Code to permit federal civilian and military retirees to pay Federal Employees Health Benefits Program (FEHBP) and TRICARE supplemental premiums on a pretax basis.

### **THE MEDICARE PRESCRIPTION DRUG PRICE NEGOTIATION ACT OF 2007**

MOPH opposed H.R. 4 which passed the House in January. MOPH opposes S. 250 which is being considered by the Senate. Although the Legislation does not mention the Federal Supply Schedule (FSS) or the favorable pricing that the VA

receives, MOPH has serious concerns that there will be attempts to encroach on the FSS.

Currently Federal Law enables the VA to purchase pharmaceutical products for veterans through the FSS. Because of the Veterans Health Care Act of 1992, the prices the VA pays through the FSS are substantially discounted from the prices that the private sector pays. Extending access to the FSS discounts to larger groups would cause FSS prices to rise and would dramatically increase the VA's pharmaceutical costs. The GAO and VA have documented the magnitude of this effect in 1995, 1997 and 2000 in response to previous proposals to extend FSS prices to other entities. The studies indicate that the VA would incur many hundreds of millions of dollars in additional costs. MOPH supports less expensive prescription drugs for all Americans but not at the expense of the VA or the veterans it serves.

### **THE MILITARY RETIREE SURVIVOR COMFORT ACT**

MOPH supports H.R. 657, which would end the practice of the Federal Government electronically withdrawing the last retirement bank deposit of military retirees upon their death.

In many cases the survivors have already expended the funds on burial for their departed or for other necessities and the electronic withdrawal places an unnecessary burden on them. MOPH believes our government can do better than this.

### **REAUTHORIZE AND EXPAND THE GRAVE MARKER BENEFIT FOR AMERICA'S VETERANS**

MOPH supports H.R. 358. This legislation reauthorizes and expands the existing Law that permits the families of deceased veterans to select, at no cost to them, either a headstone or grave marker for placement in a private cemetery.

## **ESTABLISHING A SELECT COMMITTEE ON POW AND MIA AFFAIRS**

MOPH supports H.R. 111. This legislation, if enacted, would give the committee the authority to conduct a full investigation of all unresolved matters relating to any U.S. personnel unaccounted for from the Vietnam era, the Korean conflict, World War II, Cold War Missions, or Gulf War, including Missing in Action and Prisoners of War. The families of those MIAs or POWs have the right to know the status to bring some peace or closure to their lives. America has always embraced the credo that we leave no one on the battlefield. One hundred percent closure may not be possible, but if we can reach closure on any percentage America owes it to the families.

## **FEDERAL FLAG CODE AMENDMENT ACT OF 2007**

MOPH supports H.R. 692 and S. 720, which would give the Governor of a state, territory or possession of the United States the authority to order that the National flag be flown at half-staff in that state, territory or possession in the event of the death of a member of the armed forces from that state, territory or possession who dies while serving on active duty.

During this time of war our country should render all the honors it can to those brave men and women who fall in defense of our country.

## **PAYMENT OF DEATH GRATUITIES TO CUSTODIANS OF SURVIVING MINOR CHILDREN**

MOPH supports S. 659 and S. 1115, which would permit payment of death gratuities of those members of the armed forces who die, on active duty, without a surviving spouse but with surviving minor children, to those parents, brothers, or sisters having custody of those minor children. Current Law does not permit this flexibility and the custodians of the minor children are left to raise the minor children with their own resources.

## **AMERICA VETERANS DISABLED FOR LIFE COMMEMORATIVE COIN**

MOPH supports H.R. 634 which would require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States. Funding for the construction of the American Disabled for Life Memorial would come from the sale of these commemorative coins.

In closing MOPH is in support of any legislation that would assist our brave men and women in uniform and the conflicts in which they are engaged. Nothing is too good for them and this country must provide the equipment, weapons or any other items they require. Congress must also realize that when the fighting ends these veterans will still require medical treatment and benefits to help them continue their lives. They gave their best to us and this country has an obligation to give them its best.

Thank you, members of the Committees. MOPH looks forward to working with you in any way we can to assist our military personnel, veterans and our country. I will be pleased to answer any questions that you may have.

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The Military Order of the Purple Heart does not receive and has not received any Federal Grants nor has any Federal Contract.